

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

ROY DAVIS

PLAINTIFF

VS.

CIVIL ACTION NO. 5:08-cv-10-DCB-JMR

MERCK & CO., INC. AND  
SCHERLING-PLOUGH CORP.

DEFENDANTS

ORDER OF RECUSAL

The above styled and numbered cause comes on sua sponte pursuant to Title 28 U.S.C. Section 455 which provides that any justice, judge or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned, and the undersigned, having carefully reviewed this matter and being advised by the parties of the nature of this case, finds that there are certain non-waivable grounds under 28 U.S.C. Section 455(b) which would require that he be disqualified from further participation in this case.

IT IS, THEREFORE, ORDERED that the undersigned hereby recuses himself from further participation in this case.

SO ORDERED, this the 30<sup>th</sup> day of January, 2008.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE